

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
)
PETITION OF LESLIE WILLIS)
TO PERPETUATE EVIDENCE)
PERTAINING TO “THE TRUST FOR) 2:20-cv-1833
ANNIE PEARL (WHITE) WILLIS”) **Electronic Filing**
)

MEMORANDUM ORDER

December 21, 2021

On November 25, 2020, Petitioner, Leslie Willis (“Willis” or “Petitioner”) initiated this action to “Perpetuate Evidence Pertaining to the ‘Trust for Annie Pearl (White) Willis.’” ECF Nos. 1, 27. By her petition, Willis seeks confidential financial information from Respondents, PNC Bank, N.A. and PNC Financial Services Group, Inc. (together “PNC” or “Respondents”). The case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

Respondents filed a Motion to Dismiss (ECF No. 74) arguing that the Petition is devoid of any proper basis for Willis to invoke Rule 27 of the Federal Rules of Civil Procedure to seek the requested information from PNC. The Magistrate Judge’s Report and Recommendation (ECF No. 153), filed on October 27, 2021, recommended that the Motion to Dismiss be granted finding, *inter alia*, that the Petition was moot as Petitioner’s numerous requests for this same confidential financial information have already been adjudicated in state and federal courts.

The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that they had fourteen (14) days to file any objections. After an extension was granted, Petitioner filed her objections (ECF No.177) on December 20, 2021.

After review of the pleadings and documents in the case, together with the Report and Recommendation and Petitioner's Objections, the following Order is entered:

AND NOW, this 21st day of December, 2021,

IT IS HEREBY ORDERED that the Motion to Dismiss (ECF No. 74) filed by Respondents is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 153) dated October 27, 2021 is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that Petitioner Leslie Willis' Emergency Motion for Review of Motion to Disqualify Magistrate Judge (ECF No. 175) is **DENIED** as moot as a consequence of this Court's adoption of the Report and Recommendation.

IT IS FURTHER ORDERED that the Clerk shall mark the case **CLOSED**.

s/ DAVID STEWART CERCON

David Stewart Cercone
United States District Judge

cc: Leslie Willis
Bridget J. Daley, Esquire
Magistrate Judge Lisa Pupo Lenihan

(Via CM/ECF Electronic Mail)